

Application Ser. No.: 10/018,219
Attorney Docket No.: CNF-002

Remarks

A. Specification

In response to the Examiner's comment regarding the reference numbers 5 and 10, the specification has now be amended so that the reference number 5 only refers to the pump, and the reference number 10 only refers to the chamber. No new matter has been introduced by such amendment. As a result, Applicant requests that the Examiner's objection be withdrawn.

B. Drawings

In response to the Examiner's comment regarding Figure 1, the enlarged view of the filter means has been removed. Instead, this enlarged view of the filter means has become Fig 6. No new matter has been introduced by this amendment. As a result, Applicant requests that the Examiner's objection to the drawings be withdrawn.

C. Claim Objections

Claims 31 and 53 are objected to due to insufficient antecedent basis. These claims have been canceled and replaced by claims with proper antecedent basis. Applicant requests that these objections be withdrawn.

D. Claim Rejections

In the Office Action dated September 10, 2003, claims 1-4, 6, 8-16, 26-32, 38-43, 45, 49, 50 and 59-60 are rejected under 35 U.S.C. § 102(b) as being anticipated by Deming '985; claims 1, 3, 5, 10, 11, 12, 26, 30-31, 33, 44 and 46-47 are rejected under 35 U.S.C. § 102(b) as being anticipated by Gordon '126; claims 1, 3 and 7 are rejected under 35 U.S.C. § 102(b) as being anticipated by Wycliffe '360; claims 1, 3, 4, 6, 17 and 20-21 are rejected under 35 U.S.C. § 102(b) as being anticipated by Dusevoir '732; claims 1, 3, 10, 34, 35 and 58 are rejected under 35 U.S.C. § 102(b) as being anticipated by Barrus '732; claims 1, 3, 10, 11, 36, 37, 49 and 51-53 are rejected under 35 U.S.C. § 102(b) as being anticipated by Sussman British '054; claims 1, 22, 24 and 48 are rejected under 35 U.S.C. § 102(b) as being

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anticipated by Budecker '994; claims 61-66 and 72 are rejected under 35 U.S.C. § 102(b) as being anticipated by Schulte '102; claims 18-19 are rejected under 35 U.S.C. § 103(a) as being obvious over Dusevoir '732 in view of Sussman British '054; claims 23 and 25 are rejected under 35 U.S.C. § 103(a) as being obvious over Budecker '994 in view of Bently '557; claims 54-57 are rejected under 35 U.S.C. § 103(a) as being obvious over Sussman British '054 in view of Boller '033; claims 61 and 66-68 are rejected under 35 U.S.C. § 103(a) as being obvious over Deming '985 in view of Schulte '102; and claims 70-71 and 73 are rejected under 35 U.S.C. § 103(a) as being obvious over Deming '985 in view of Schulte '102 and Bratten '536.

Claims 1 through 73 have been canceled and claims 74 through 77 were previously canceled. New claims 78 through 137 have been added, and the new claims are not anticipated or are obvious in view of any of the prior art references cited in this Office Action or cited in the attached Information Disclosure Statement or combination thereof.

Claim 78, the only independent claim in the present invention, is directed to a downhole pump and recites "a chamber within the rotor" and "at least one piston being provided longitudinally between the inlet and the outlet." None of the cited art or the art listed on the attached Information Disclosure Statement discloses directly or indirectly a longitudinal arrangement of inlet/pistons/outlet with well fluid produced through the chamber of the rotor. The known art does not disclose a downhole pump that draws well fluid into a chamber through an inlet upstream of the piston(s) and the well fluid passing through the chamber in the rotor. Since the inlet, piston(s) and outlet are located in-line with each other, losses due to friction is reduced.

Hence claim 78 is presently patentable over the known art. Claims 79-137 depend directly or indirectly from claim 78 and recite further limitation(s) therefrom. Hence claims 79-137 are also presently patentable over the known art. Applicant submits that the present application should be allowed in its present form. A Notice of Allowance is earnestly solicited.

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No fee is believed due for this Amendment, because the total remaining claims and independent claims are less than the claims originally submitted and paid for. Should any fee be required, the Commissioner is authorized to charge any required fees to Deposit Account No. 50-1980.

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Respectfully submitted,

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Enclosures